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PTO/SB/21 (08-03)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		<b>Application Number</b>	10/056,868
		<b>Filing Date</b>	January 25, 2002
		<b>First Named Inventor</b>	Clark A. Bendall
		<b>Group Art Unit</b>	2872
		<b>Examiner Name</b>	Lee A. Fineman
<b>Total Number of Pages in This Submission</b>	9	<b>Attorney Docket Number</b>	702_081RCE

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form  <input checked="" type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Technology Center (TC)  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  5 Page PTO 1449, Copy of One (1) Non-Patent Citation (HC), Check in the Amount of \$180.00 and Return Mailroom Postcard
<b>Remarks</b>		<b>The Commissioner is authorized to charge any additional fees to Deposit Account No. 50-0289.</b>
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Wall Marjama & Bilinski LLP Peter J. Bilinski Reg. No. 35,067
Signature	
Date	March 18, 2005

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service using the Express Mail Post Office To Addressee service per 37 CFR 1.10 under Express Mail No. EV 387966058 US addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 18, 2005.		
Typed or printed name	Susanne C. Aregano	
Signature		Date March 18, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004.  
Fee pursuant to the Consolidated Appropriations Act. 2005 (H.R. 4818).

# **FREE TRANSMITTAL** **For FY 2005**

## **Complete if Known**

Application Number 10/056,868  
Filing Date January 25, 2002  
First Named Inventor Clark A. Bendall  
Examiner Name Lee A. Fineman  
Art Unit 2872  
Attorney Docket No. 702\_08IRCE

☐ Applicant claims small entity status. See 37 CFR 1.27  
AMOUNT OF PAYMENT \$180.00

Express Mail Label EV 387966058 US

## **METHOD OF PAYMENT (check all that apply)**

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):  
☒ Deposit Account Deposit Account Number: 50-0289 Deposit Account Name: Wall Marjama & Bilinski LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayments ☒ Credit any overpayments of fee(s) under 37 CFR 1.16 and 1.17

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## **FEE CALCULATION**

### **1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

### **2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180
<b>Total Claims</b>		
- 20 or HP =	x	=
HP= highest paid number of total claims paid for, if greater than 20		
<b>Indep. Claims</b>		
- 3 or HP =	x	=
HP =highest number of independent claims paid for, if greater than 3		

### **3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a) (1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fees Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

### **4. OTHER FEES**

Other: Supplemental IDS	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	
Other: Supplemental IDS	180.00

## **SUBMITTED BY**

Signature	Registration No. 35,067 (Attorney/Agent)	Telephone 315-425-9000
Name (Print/Type)	Date March 18, 2005	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Practitioner's Docket No.: 702\_081RCE

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Clark A. Bendall et al.

Serial No.: 10/056,868

Art Unit: 2872

Filed: January 25, 2002

Examiner: Lee A. Fineman

For: STEREO-MEASUREMENT BOREScope WITH 3-D VIEWING

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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*Susanne C. Aregano*  
Susanne C. Aregano

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached Form PTO-1449. A copy of the non-patent citation listed on Form PTO-1449 is attached.

The above information is presented so that the Patent and Trademark Office may, in the first instance, determine any materiality thereof to the claimed invention. See 37 C.F.R. §1.104(a) and §1.105 concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that these references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

A check for the requisite fee under 37 CFR §1.17(p) is attached hereto.

The Director is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0289.

Respectfully submitted,

WALL MARJAMA & BILINSKI LLP

Date: March 18, 2005

By:

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Form PTO 1449 US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Atty Docket No. 702_081RCE	Serial No. 10/056,868
	Applicant Clark A. Bendall et al.	
	Filing Date January 25, 2002	Group 2872

# U.S. PATENT DOCUMENTS

Exam Initial		Document Number	Date	Name	Class	Sub Class	Filing Date
	AA	2002/0082476 A1	June 27, 2002	Takahashi et al.			
	AB	4,364,629	December 21, 1982	Lang et al.			
	AC	4,622,954	November 18, 1986	Arakawa et al.			
	AD	4,646,723	March 3, 1987	Arakawa			
	AE	4,651,201	March 17, 1987	Schoolman			
	AF	4,682,219	July 21, 1987	Arakawa			
	AG	4,741,327	May 3, 1988	Yabe			
	AH	4,745,471	May 17, 1988	Takamura et al.			
	AI	4,757,805	July 19, 1988	Yabe			
	AJ	4,773,396	September 27, 1988	Okazaki			
	AK	4,779,130	October 18, 1988	Yabe			
	AL	4,809,680	March 7, 1989	Yabe			
	AM	4,827,909	May 9, 1989	Kato et al.			
	AN	4,832,003	May 23, 1989	Yabe			
	AO	4,862,873	September 5, 1989	Yajima et al.			
	AP	4,868,644	September 19, 1989	Yabe et al.			
	AQ	4,873,572	October 10, 1989	Miyazaki et al.			
	AR	4,895,431	January 23, 1990	Tsujiuchi et al.			
	AS	4,918,521	April 17, 1990	Yabe et al.			
	AT	4,926,257	May 15, 1990	Miyazaki			
	AU	5,222,477	June 29, 1993	Lia			
	AV	5,427,087	June 27, 1995	Ito et al.			
	AW	5,494,483	February 27, 1996	Adair			
	AX	5,522,789	June 4, 1996	Takahashi			
	AY	5,557,454	September 17, 1996	Takahashi			
	AZ	5,577,991	November 26, 1996	Akui et al.			
	BA	5,603,687	February 18, 1997	Hori et al.			
	BB	5,647,838	July 15, 1997	Bloomer			
	BC	5,649,897	July 22, 1997	Nakamura et al.			
	BD	5,675,378	October 7, 1997	Takasugi et al.			
	BE	5,689,365	November 18, 1997	Takahashi			
	BF	5,694,530	December 2, 1997	Goto			
	BG	5,696,837	December 9, 1997	Green			

Exam Initial		Document Number	Date	Name	Class	Sub Class	Filing Date
	BH	5,701,912	December 30, 1997	Greening et al.			
	BI	5,702,350	December 30, 1997	Vry et al.			
	BJ	5,704,897	January 6, 1998	Truppe			
	BK	5,704,791	January 6, 1998	Gillio			
	BL	5,707,340	January 13, 1998	Hipp et al.			
	BM	5,720,706	February 24, 1998	Takahashi et al.			
	BN	5,730,129	March 24, 1998	Darrow et al.			
	BO	5,733,246	March 31, 1998	Forkey			
	BP	5,735,290	April 7, 1998	Sterman et al.			
	BQ	5,742,429	April 21, 1998	Tsumanuma et al.			
	BR	5,743,846	April 28, 1998	Takahashi et al.			
	BS	5,743,847	April 28, 1998	Nakamura et al.			
	BT	5,747,794	May 5, 1998	Malchesky			
	BU	5,749,362	May 12, 1998	Funda et al.			
	BV	5,749,830	May 12, 1998	Kaneko et al.			
	BW	5,749,892	May 12, 1998	Vierra et al.			
	BX	5,751,341	May 12, 1998	Chaleki et al.			
	BY	5,755,577	May 26, 1998	Gillio			
	BZ	5,764,809	June 9, 1998	Nomami et al.			
	CA	5,766,208	June 16, 1998	McEwan			
	CB	5,774,261	June 30, 1998	Omori et al.			
	CC	5,776,049	July 7, 1998	Takahashi			
	CD	5,782,752	July 21, 1998	Lichtman et al.			
	CE	5,784,098	July 21, 1998	Shoji et al.			
	CF	5,791,908	August 11, 1998	Gillio			
	CG	5,793,341	August 11, 1998	Omori et al.			
	CH	5,800,177	September 1, 1998	Gillio			
	CI	5,800,178	September 1, 1998	Gillio			
	CJ	5,800,341	September 1, 1998	McKenna et al.			
	CK	5,807,243	September 15, 1998	Vierra et al.			
	CL	5,808,665	September 15, 1998	Green			
	CM	5,810,717	September 22, 1998	Maeda et al.			
	CN	5,817,005	October 6, 1998	Cohen			
	CO	5,817,019	October 6, 1998	Kawashima			
	CP	5,823,958	October 20, 1998	Truppe			
	CQ	5,825,532	October 20, 1998	Mochizuki et al.			
	CR	5,825,534	October 20, 1998	Strähle			
	CS	5,828,487	October 27, 1998	Greening et al.			
	CT	5,833,656	November 10, 1998	Smith et al.			
	CU	5,836,954	November 17, 1998	Heilbrun et al.			
	CV	5,840,024	November 24, 1998	Taniguchi et al.			
	CW	5,846,185	December 8, 1998	Carollo et al.			
	CX	5,849,595	December 15, 1998	Alfano et al.			

Exam Initial		Document Number	Date	Name	Class	Sub Class	Filing Date
	CY	5,859,934	January 12, 1999	Green			
	CZ	5,860,912	January 19, 1999	Chiba			
	DA	5,861,987	January 19, 1999	Nakamura et al.			
	DB	5,864,359	January 26, 1999	Kazakevich			
	DC	5,871,446	February 16, 1999	Wilk			
	DE	5,876,325	March 2, 1999	Mizuno et al.			
	DF	5,877,732	March 2, 1999	Ziarati			
	DG	5,877,803	March 2, 1999	Wee et al.			
	DH	5,882,206	March 16, 1999	Gillio			
	DI	5,886,675	March 23, 1999	Aye et al.			
	DJ	5,886,822	March 23, 1999	Spitzer			
	DK	5,895,350	April 20, 1999	Hori			
	DL	5,914,810	June 22, 1999	Watts			
	DM	5,917,655	June 29, 1999	Lehnen et al.			
	DN	5,919,128	July 6, 1999	Fitch			
	DO	5,926,318	July 20, 1999	Hebert			
	DP	5,928,137	July 27, 1999	Green			
	DQ	5,935,057	August 10, 1999	Lichtman et al.			
	DR	5,941,818	August 24, 1999	Hori et al.			
	DS	5,949,388	September 7, 1999	Atsumi et al.			
	DT	5,951,543	September 14, 1999	Brauer			
	DU	5,953,013	September 14, 1999	Shimizu			
	DV	5,953,114	September 14, 1999	Spink et al.			
	DW	5,953,439	September 14, 1999	Ishihara et al.			
	DX	5,954,634	September 21, 1999	Igarashi			
	DY	5,954,642	September 21, 1999	Johnson et al.			
	DZ	5,954,692	September 21, 1999	Smith et al.			
	EA	5,957,832	September 28, 1999	Taylor et al.			
	EB	5,961,456	October 5, 1999	Gildenberg			
	EC	5,964,696	October 12, 1999	Mihalca et al.			
	ED	5,966,168	October 12, 1999	Miyazaki			
	EE	5,976,071	November 2, 1999	Sekiya			
	EF	5,914,810	June 22, 1999	Watts			
	EG	5,919,128	July 6, 1999	Fitch			
	EH	5,924,976	July 20, 1999	Stelzer et al.			
	EI	5,971,915	October 26, 1999	Yamamoto et al.			
	EJ	5,976,071	November 2, 1999	Sekiya			
	EK	5,976,076	November 2, 1999	Kolff et al.			
	EL	5,983,120	November 9, 1999	Groner et al.			
	EM	5,989,182	November 23, 1999	Hori et al.			
	EN	5,989,185	November 23, 1999	Miyazaki			
	EO	5,995,759	November 30, 1999	Kohayakawa			
	EP	5,999,844	December 7, 1999	Gombrich et al.			

Exam Initial		Document Number	Date	Name	Class	Sub Class	Filing Date
	EQ	6,002,430	December 14, 1999	McCall et al.			
	ER	6,005,709	December 21, 1999	Silver			
	ES	6,008,939	December 28, 1999	Hebert			
	ET	6,009,189	December 28, 1999	Schaack			
	EU	6,011,580	January 4, 2000	Hattori et al.			
	EV	6,016,439	January 18, 2000	Acker			
	EW	6,017,304	January 25, 2000	Vierra et al.			
	EX	6,023,632	February 8, 2000	Wilk			
	EY	6,027,476	February 22, 2000	Sterman et al.			
	EZ	6,040,946	March 21, 2000	Hebert			
	FA	6,043,890	March 28, 2000	Spink et al.			
	FB	6,043,891	March 28, 2000	Hartrumpf et al.			
	FC	6,059,718	May 9, 2000	Taniguchi et al.			
	FD	6,063,023	May 16, 2000	Sakiyama et al.			
	FE	6,066,090	May 23, 2000	Yoon			
	FF	6,075,555	June 13, 2000	Street			
	FG	6,081,371	June 27, 2000	Shioda et al.			
	FH	6,081,740	June 27, 2000	Gombrich et al.			
	FI	6,088,154	July 11, 2000	Morita			
	FJ	6,091,453	July 18, 2000	Coan et al.			
	FK	6,094,590	July 25, 2000	Kan et al.			
	FL	6,101,038	August 8, 2000	Hebert et al.			
	FM	6,104,426	August 15, 2000	Street			
	FN	6,104,939	August 15, 2000	Groner et al.			
	FO	6,106,456	August 22, 2000	Storz			
	FP	6,106,463	August 22, 2000	Wilk			
	FQ	6,108,005	August 22, 2000	Starks et al.			
	FR	6,113,395	September 5, 2000	Hon			
	FS	6,115,058	September 5, 2000	Omori et al.			
	FT	6,121,999	September 19, 2000	Schaack			
	FU	6,122,541	September 19, 2000	Cosman et al.			
	FV	6,128,144	October 3, 2000	Togino			
	FW	6,137,937	October 24, 2000	Okano et al.			
	FX	6,139,490	October 31, 2000	Breidenthal et al.			
	FY	6,139,492	October 31, 2000	Vierra et al.			
	FZ	6,142,932	November 7, 2000	Morizumi			
	GA	6,146,390	November 14, 2000	Heilbrun et al.			
	GB	6,149,582	November 21, 2000	Morizumi			
	GC	6,149,583	November 21, 2000	Vierra et al.			
	GD	6,151,164	November 21, 2000	Greening et al.			
	GE	6,154,315	November 28, 2000	Street			
	GF	6,165,181	December 26, 2000	Heilbrun et al.			
	GG	6,166,496	December 26, 2000	Lys et al.			

Exam Initial		Document Number	Date	Name	Class	Sub Class	Filing Date
	GH	6,167,296	December 26, 2000	Shahidi			
	GI	6,184,923 B1	February 6, 2001	Miyazaki			
	GJ	6,191,809 B1	February 20, 2001	Hori et al.			
	GK	6,201,648 B1	March 13, 2001	Togino			
	GL	6,201,984 B1	March 13, 2001	Funda et al.			
	GM	6,211,626 B1	April 3, 2001	Lys et al.			
	GN	6,211,904 B1	April 3, 2001	Adair et al.			
	GO	6,219,182 B1	April 17, 2001	McKinley			
	GP	6,221,007 B1	April 24, 2001	Green			
	GQ	6,223,100 B1	April 24, 2001	Green			
	GR	6,228,055 B1	May 8, 2001	Foerster et al.			
	GS	6,239,724 B1	May 29, 2001	Doron et al.			
	GT	6,246,200 B1	June 12, 2001	Blumenkranz et al.			
	GU	6,246,900 B1	June 12, 2001	Cosman et al.			
	GV	6,248,074 B1	June 19, 2001	Ohno et al.			
	GW	6,259,806 B1	July 10, 2001	Green			
	GX	6,261,226 B1	July 17, 2001	McKenna et al.			
	GY	6,266,182 B1	July 24, 2001	Morita			
	GZ	6,274,086 B1	August 14, 2001	Wilson et al.			
	HA	6,275,335 B1	August 14, 2001	Costales			
	HB	6,338,711 B1	January 15, 2002	Sekiya et al.			

#### FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Sub Class	Translation	Abstract

#### OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages Etc.)

	HC	BioPhotonics In Action; Stereoendoscopy Gives Surgeons Normal Vision; Robert Wood and Wil Cochran; 2 Pages; September 1993
Examiner		Date Considered

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